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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/686,000	10/15/2003	Hisham Khartabil	NOKM.066PA	4883
40581	7590	06/02/2005	EXAMINER	
CRAWFORD MAUNU PLLC 1270 NORTHLAND DRIVE, SUITE 390 ST. PAUL, MN 55120			NGUYEN, BRIAN D	
			ART UNIT	PAPER NUMBER
			2661	

DATE MAILED: 06/02/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/686,000

Applicant(s)

KHARTABIL ET AL

Examiner

Brian D. Nguyen

Art Unit

2661

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 15 October 2003.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-35 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-35 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 4/26/04.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Claim Objections

1. Claims 13-25 are objected to because of the following informalities:

Claim 13, "IMS" should be spelled out.

Claims 15 and 22, it is suggested to insert --user-- before "presence information" in line 7 of claim 15 and line 4 of claim 22.

Claim 15, line 9, "communication requests" seems to refer back to "communication requests" in line 1. If this is true, it is suggested to change "communication requests" to --the communication requests--. "the" should also be inserted in line 3 of claim 16 and line 1 of claim 25.

Claim 24, line 3, "user presence information" seems to refer back to "user presence information" in lines 3-4 of claim 15. If this is true, it is suggested to change "user presence information" to --the user presence information--.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1-4, 6-29, and 31-35 are rejected under 35 U.S.C. 102(e) as being anticipated by Roach (2002/0037723).

Regarding claims 1-3, 7, 9, 35, Roach discloses a method for routing communication requests targeted for a user over a network comprising a network entity (serving CI in figure 3) subscribing to presence information (location information) of the user; receiving a state of the presence information (presence location information from profile database (PDB)) of the user and creating routing instruction for routing communication requests (see figure 3; paragraphs 0166 & 0214).

Regarding claim 4, Roach discloses creating routing script (see different scripts, for example, in page 8).

Regarding claim 6, Roach discloses indicating a change of state of the presence information (see the updated information in paragraph 00216).

Regarding claim 8, Roach discloses registering (see figure 3 and paragraph 0213).

Regarding claims 10-12, HSS in figure 3 including location server (LS) and profile database (PDB) is the presence application server.

Regarding claims 13-14, Roach discloses the network includes IP multimedia core network (IMS) and S-CSCF, and the use of Session Initiation Protocol (SIP) (see paragraph 0101).

Regarding claims 15-25, claims 15-25 are method claims that have substantially the same limitations as method claims 1-14. Therefore, they are subject to the same rejection. Claim 15, for example, is a combination of claims 1, 2, 4, and 13. Claims 16 and 17 describe identifying one or more attributes; Roach discloses more than one attribute, for example: a caller identity, a caller domain, and a communication request type (SIP message type).

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Regarding claims 26-29, claims 26-29 are apparatus claims that have substantially the same limitation as method claims 1, 2, 4, and 13. Therefore, they are subject to the same rejection.

Regarding claims 31-34, claims 31-34 are system claims comprise a user equipment (mobile station); a presence server (HSS); a S-CSCF (serving CI) that perform functions described in claims 1-3, 9, and 13. Therefore, they are subject to the same rejection.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 5, 30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Roach in view of Madour et al (2004/0109459).

Regarding claim 5, 30, Roach does not specifically disclose modifying the filter criteria. However, Madour discloses modifying the filter criteria (see paragraph 0049). Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify the filter criteria as taught by Madour in the system of Roach in order to improve system flexibility.

Conclusion

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6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

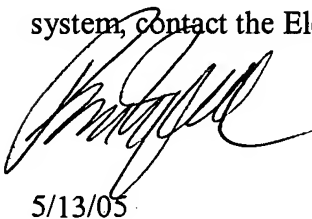
Gallant et al (2002/0136206), Gourraud (2004/0037406), Florkey et al (2005/0083941), Gourraud et al (2004/0006623), and Basilier et al (2003/0233457).

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Brian D. Nguyen whose telephone number is (571) 272-3084.

The examiner can normally be reached on 7:30-6:00 Monday-Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chau Nguyen can be reached on (571) 272-3126. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



5/13/05

BRIAN NGUYEN
PRIMARY EXAMINER